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Third Committee
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Elimination of racism and racial discrimination: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Antigua and Barbuda:* draft resolution

Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling its resolution 52/111 of 12 December 1997, in which it had decided to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and its resolutions 56/266 of 27 March 2002, 57/195 of 18 December 2002, 58/160 of 22 December 2003, 59/177 of 20 December 2004 and 60/144 of 16 December 2005, which guided the comprehensive follow-up to and effective implementation of the World Conference, and in this regard underlining the importance of their full and effective implementation,

Recalling also its resolution 61/149 of 19 December 2006, in which it decided to convene in 2009 a review conference on the implementation of the Durban Declaration and Programme of Action,[1] hereinafter referred to as the Durban Review Conference, to be conducted within the framework of the General Assembly, and its resolution 62/220 of 22 December 2007,

Noting, in the above context, the decisions adopted by the Preparatory Committee for the Durban Review Conference at its organizational session,[2] including its decision PC.1/13 of 31 August 2007 on the objectives of the Durban Review Conference,

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] See A/CONF.189/12 and Corr.1, chap. I.

[2] See A/62/375, annex I.

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Noting also all the relevant resolutions and decisions of the Commission on Human Rights and of the Human Rights Council on this subject, and calling for their implementation,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well-being of their societies, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Convinced that racism, racial discrimination, xenophobia and related intolerance manifest themselves in a differentiated manner for women and girls and may be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and the limitation or denial of their human rights, and recognizing the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolérance in order to address multiple forms of discrimination,

Underlining the primacy of political will, international cooperation and adequate funding at the national, regional and international levels for the successful implementation of the Durban Programme of Action,

Alarmed at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, inter alia, as a result of the resurgent activities of associations established on the basis of racist and xenophobic platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Underlining the importance of urgently eliminating continuing and violent trends involving racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy, tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

Welcoming the determination of the former United Nations High Commissioner for Human Rights to profile and increase the visibility of the struggle against racism, racial discrimination, xenophobia and related intolerance and her intention to make this a cross-cutting issue in the activities and programmes of her Office,

Taking note of the report of the Secretary-General[3] and the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance,[4]

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[3] A/63/366.

[4] A/63/339.

I

General principles

1. *Acknowledges* that no derogation from the prohibition of racial discrimination, genocide, the crime of apartheid or slavery is permitted, as defined in the obligations under the relevant human rights instruments;

2. *Expresses its profound concern about and its unequivocal condemnation* of all forms of racism and racial discrimination, including related acts of racially motivated violence, xenophobia and intolerance, as well as propaganda activities and organizations that attempt to justify or promote racism, racial discrimination, xenophobia and related intolerance in any form;

3 *Expresses deep concern* at the attempts to establish hierarchies among emerging and resurgent forms of racism, racial discrimination, xenophobia and related intolerance, and urges States to adopt measures to address these scourges with the same emphasis and vigour with a view to preventing this practice and protecting victims;

4. *Stresses* that States and international organizations have a responsibility to ensure that measures taken in the struggle against terrorism do not discriminate in purpose or effect on grounds of race, colour, descent or national or ethnic origin, and urges all States to rescind or refrain from all forms of racial profiling;

5. *Recognizes* that States should implement and enforce appropriate and effective legislative, judicial, regulatory and administrative measures to prevent and protect against acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations;

6. *Also recognizes* that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on other related grounds, such as sex, language, religion, political or other opinion, social origin, property, birth or other status;

7. *Reaffirms* that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law;

8. *Emphasizes* that it is the responsibility of States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, including measures to ensure that such motivations are considered an aggravating factor for the purposes of sentencing, to prevent those crimes from going unpunished and to ensure the rule of law;

9. *Urges* all States to review and, where necessary, revise their immigration laws, policies and practices so that they are free of racial discrimination and compatible with their obligations under international human rights instruments;

10. *Condemns* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred, and calls upon States to take all necessary measures to combat this form of racism in accordance with the commitments that they have undertaken under the Durban Declaration and Programme of Action,[1] in particular paragraph 147 of the Programme of Action, in accordance with existing

international and regional standards of freedom of expression and taking all necessary measures to guarantee the right to freedom of opinion and expression;

11. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for all cultures, civilizations, religions, peoples and countries;

12. *Stresses* the responsibility of States to mainstream a gender perspective in the design and development of prevention, education and protection measures aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels, to ensure that they effectively target the distinct situations of women and men;

II
International Convention on the Elimination of All Forms of Racial Discrimination

13. *Reaffirms* that universal adherence to and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination[5] are of paramount importance for the fight against racism, racial discrimination, xenophobia and related intolerance, including contemporary forms of racism and racial discrimination, and for the promotion of equality and non-discrimination in the world;

14. *Reiterates* the call made by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, in paragraph 75 of the Durban Programme of Action,[1] to achieve universal ratification of the Convention by 2005 and for all States to consider making the declaration envisaged under article 14 of the Convention, and endorses the grave concern expressed by the Commission on Human Rights in its resolution 2005/64 of 20 April 2005[6] to the effect that, with one hundred and seventy-three ratifications and only fifty-two declarations, the deadline for universal ratification decided by the World Conference has, regrettably, not been realized;

15. *Urges*, in the above context, the Office of the United Nations High Commissioner for Human Rights to maintain and issue regular updates on its website of a list of countries that have not yet ratified the Convention and to encourage such countries to ratify it at the earliest;

16. *Expresses its concern* at the serious delays in the submission of overdue reports to the Committee on the Elimination of Racial Discrimination, which impedes the effectiveness of the Committee, makes a strong appeal to all States parties to the Convention to comply with their treaty obligations, and reaffirms the importance of the provision of technical assistance to the requesting countries in the preparation of their reports to the Committee;

17. *Invites* States parties to the Convention to ratify the amendment to article 8 of the Convention on the financing of the Committee, and calls for adequate additional resources from the regular budget of the United Nations to enable the Committee to discharge its mandate fully;

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[5] United Nations, *Treaty Series*, vol. 660, No. 9464.

[6] See *Official Records of the Economic and Social Council, 2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

18. *Urges* all States parties to the Convention to intensify their efforts to implement the obligations that they have accepted under article 4 of the Convention, with due regard to the principles of the Universal Declaration of Human Rights[7] and article 5 of the Convention;

19. *Welcomes* the work of the Committee in applying the Convention to the new and contemporary forms of racism and racial discrimination;

20. *Recalls* that the Committee holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights and in article 5 of the Convention;

21. *Welcomes* the emphasis placed by the Committee on the importance of follow-up to the World Conference and the measures recommended to strengthen the implementation of the Convention as well as the functioning of the Committee;

III

Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

22. *Acknowledges* that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance is on an equal footing with the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields;

23. *Also acknowledges* that the World Conference, which was the third world conference against racism, was significantly different from the previous two conferences, as evidenced by the inclusion in its title of two important components relating to contemporary forms of racism, namely, xenophobia and related intolerance;

24. *Emphasizes* that the basic responsibility for effectively combating racism, racial discrimination, xenophobia and related intolerance lies with States, and to this end stresses that States have the primary responsibility to ensure full and effective implementation of all commitments and recommendations contained in the Durban Declaration and Programme of Action;[1]

25. *Reaffirms its commitment* to eliminating all forms of racism, racial discrimination, xenophobia and other forms of related intolerance against indigenous peoples, and in this regard notes the attention paid to the objectives of combating prejudice and eliminating discrimination and promoting tolerance, understanding and good relations among indigenous peoples and all other segments of society in the United Nations Declaration on the Rights of Indigenous Peoples;[8]

26. *Emphasizes* the fundamental and complementary role of national human rights institutions, regional bodies or centres and civil society, working jointly with States towards the achievement of the objectives of the Durban Declaration and Programme of Action;

27. *Welcomes* the steps taken by numerous Governments, in particular the elaboration and implementation of national action plans to combat racism, racial

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[7] Resolution 217 A (III).

[8] Resolution 61/295, annex.

discrimination, xenophobia and related intolerance, and steps taken by national human rights institutions and non-governmental organizations, towards the full implementation of the Durban Declaration and Programme of Action, and affirms this trend as a demonstration of commitment for the elimination of all scourges of racism at the national level;

28. *Calls upon* all States that have not yet elaborated their national action plans on combating racism, racial discrimination, xenophobia and related intolerance to comply with their commitments undertaken at the World Conference;

29. *Calls upon* all States to formulate and implement without delay, at the national, regional and international levels, policies and plans of action to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;

30. *Acknowledges and supports* the initiative led by the States members of the Caribbean Community and other Member States for the establishment of a permanent memorial at the United Nations to the victims of slavery and the transatlantic slave trade as a contribution towards the fulfilment of paragraph 101 of the Durban Declaration, expresses its appreciation for contributions made to the voluntary fund established in this regard, and urges other countries to contribute to the fund;

31. *Urges* States to support the activities of existing regional bodies or centres that combat racism, racial discrimination, xenophobia and related intolerance in their respective regions, and recommends the establishment of such bodies in all regions where they do not exist;

32. *Recognizes* the fundamental role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular in assisting States to develop regulations and strategies, in taking measures and action against such forms of discrimination and through follow-up implementation;

33. *Decides* that the General Assembly, through its role in policy formulation, the Economic and Social Council, through its role in overall guidance and coordination, in accordance with their respective roles under the Charter of the United Nations and Assembly resolution 50/227 of 24 May 1996, and the Human Rights Council shall constitute a three-tiered intergovernmental process for the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action;

34. *Stresses and reaffirms* its role as the highest intergovernmental mechanism for the formulation and appraisal of policy on matters relating to the economic, social and related fields, in accordance with Chapter IX of the Charter, including in the comprehensive implementation of and follow-up to the goals and targets set at all the major United Nations conferences, summits and special sessions;

35. *Reaffirms* that the Human Rights Council shall continue to have a central role in the monitoring of the implementation of the Durban Declaration and Programme of Action within the United Nations system and in advising the General Assembly thereon;

36. *Expresses its appreciation* for the continuing work in follow-up to the World Conference undertaken by the Intergovernmental Working Group on the

Effective Implementation of the Durban Declaration and Programme of Action, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action and the Working Group of Experts on People of African Descent;

37. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the necessary political will for the successful implementation of the Declaration and Programme of Action;

38. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action;

39. *Expresses its concern* at the increasing incidence of racism in various sporting events, while noting with appreciation the efforts made by some governing bodies of the various sporting codes to combat racism, and in this regard invites all international sporting bodies to promote, through their national, regional and international federations, a world of sport free from racism and racial discrimination;

40. *Invites*, in this context, the Fédération internationale de football association, in connection with the 2010 soccer World Cup tournament to be held in South Africa, to consider introducing a visible theme on non-racism in football, requests the Secretary-General to bring this invitation to the attention of the Fédération and to bring the issue of racism in sport to the attention of other relevant international sporting bodies, and in this regard appreciates the joint efforts of the Government of Germany, the Secretary-General and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance during the 2006 World Cup;

IV
Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and follow-up to his visits

41. *Expresses its full support and appreciation* for the work of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and encourages its continuation, bearing in mind the special procedures review process being undertaken by the Human Rights Council;

42. *Reiterates its call* to all Member States, intergovernmental organizations, relevant organizations of the United Nations system and non-governmental organizations to cooperate fully with the Special Rapporteur, and calls upon States to consider responding favourably to his requests for visits so as to enable him to fulfil his mandate fully and effectively;

43. *Recognizes with deep concern* the increase in anti-Semitism, Christianophobia and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas directed against Arab, Christian, Jewish and Muslim communities, as well as all religious communities, communities of people of African descent, communities of people of Asian descent, communities of indigenous people and other communities;

44. *Encourages* closer collaboration between the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights, in particular the Anti-Discrimination Unit;

45. *Urges* the High Commissioner to provide States, at their request, with advisory services and technical assistance to enable them to implement fully the recommendations of the Special Rapporteur;

46. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit a report to the General Assembly at its sixty-third session;

47. *Takes note* of the recommendations contained in the report of the Special Rapporteur,[4] and urges Member States and other relevant stakeholders to consider implementing those recommendations;

48. *Requests* the Special Rapporteur to continue giving particular attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the full enjoyment of civil, cultural, economic, political and social rights by national or ethnic, religious and linguistic minorities, immigrant populations, asylum-seekers and refugees;

49. *Invites* Member States to demonstrate greater commitment to fighting racism in sport by conducting educational and awareness-raising activities and by strongly condemning the perpetrators of racist incidents, in cooperation with national and international sports organizations;

V
Convening of the Durban Review Conference

50. *Welcomes* the reports of the Preparatory Committee for the Durban Review Conference on its organizational,[9] first[10] and second[11] substantive sessions and endorses the decisions contained therein;

51. *Also welcomes* the convening of the Regional Conference for Latin America and the Caribbean Preparatory to the Durban Review Conference, held in Brasília from 17 to 19 June 2008 and the Regional Preparatory Meeting for Africa for the Durban Review Conference, held in Abuja from 24 to 26 August 2008;

52. *Requests* the Secretary-General to allocate adequate funds from the regular budget of the United Nations for expenses not covered in Preparatory Committee decision PC.1/12 of 31 August 2007,[2] to facilitate the participation of all

[9] A/62/375.

[10] A/63/112.

[11] To be issued as A/CONF.211/PC.3/11.

the relevant special procedures and mechanisms of the Human Rights Council in the meetings of the Preparatory Committee and the regional preparatory conferences;

VI
General

53. *Requests* the Secretary-General to submit a report with recommendations on the implementation of the present resolution to the General Assembly at its sixty-fourth session;

54. *Decides* to remain seized of this important matter at its sixty-fourth session under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance".

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Elimination of racism and racial discrimination: comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

Antigua and Barbuda:* revised draft resolution

Global efforts for the total elimination of racism, racial discrimination, xenophobia and related intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

The General Assembly,

Recalling its resolution 52/111 of 12 December 1997, in which it had decided to convene the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and its resolutions 56/266 of 27 March 2002, 57/195 of 18 December 2002, 58/160 of 22 December 2003, 59/177 of 20 December 2004 and 60/144 of 16 December 2005, which guided the comprehensive follow-up to and effective implementation of the World Conference, and in this regard underlining the importance of their full and effective implementation,

Recalling also its resolution 61/149 of 19 December 2006, in which it decided to convene in 2009 a review conference on the implementation of the Durban Declaration and Programme of Action,[1] hereinafter referred to as the Durban Review Conference, to be conducted within the framework of the General Assembly, and its resolution 62/220 of 22 December 2007,

Noting, in the above context, the decisions adopted by the Preparatory Committee for the Durban Review Conference at its organizational session,[2] and its substantive sessions,[3] including its decision PC.1/13[4] on the objectives of the

* On behalf of the States Members of the United Nations that are members of the Group of 77 and China.

[1] See A/CONF.189/12 and Corr.1, chap. I.

[2] See A/62/375, annex I.

[3] See A/63/112, annex I; and A/63/112/Add.1, chap. I.

[4] See A/62/375, annex I.

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Durban Review Conference and decision PC.2/8[5] on the structure of the outcome document of the Conference,

Welcoming all the relevant resolutions and decisions of the Commission on Human Rights and of the Human Rights Council on this subject, and calling for their implementation,

Welcoming also Human Rights Council decision 3/103[6] of 8 December 2006, in which the Council decided to heed the decision and instruction of the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance by establishing the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards,

Reiterating that all human beings are born free and equal in dignity and rights and have the potential to contribute constructively to the development and well being of their societies, and that any doctrine of racial superiority is scientifically false, morally condemnable, socially unjust and dangerous and must be rejected, together with theories that attempt to determine the existence of separate human races,

Convinced that racism, racial discrimination, xenophobia and related intolerance manifest themselves in a differentiated manner for women and girls and may be among the factors leading to a deterioration in their living conditions, poverty, violence, multiple forms of discrimination and the limitation or denial of their human rights, and recognizing the need to integrate a gender perspective into relevant policies, strategies and programmes of action against racism, racial discrimination, xenophobia and related intolerance in order to address multiple forms of discrimination,

Underlining the primacy of political will, international cooperation and adequate funding at the national, regional and international levels for the successful implementation of the Durban Programme of Action,

Alarmed at the increase in racist violence and xenophobic ideas in many parts of the world, in political circles, in the sphere of public opinion and in society at large, inter alia, as a result of the resurgent activities of associations established on the basis of racist and xenophobic platforms and charters, and the persistent use of those platforms and charters to promote or incite racist ideologies,

Underlining the importance of urgently eliminating continuing and violent trends involving racism and racial discrimination, and conscious that any form of impunity for crimes motivated by racist and xenophobic attitudes plays a role in weakening the rule of law and democracy, tends to encourage the recurrence of such crimes and requires resolute action and cooperation for its eradication,

Acknowledging the support rendered by the Office of the United Nations High Commissioner for Human Rights to profiling and increasing the visibility of the struggle against racism, racial discrimination, xenophobia and related intolerance and the intention to make this a cross-cutting issue in the activities and programmes of the Office of the High Commissioner,

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[5] See A/63/112, annex I.

[6] See *Official Records of the General Assembly, Sixty-second Session, Supplement No. 53* (A/62/53), chap. II, sect. B.

I

General principles

1. *Acknowledges* that no derogation from the prohibition of racial discrimination, genocide, the crime of apartheid or slavery is permitted, as defined in the obligations under the relevant human rights instruments;

2. *Expresses its profound concern about and its unequivocal condemnation* of all forms of racism and racial discrimination, including related acts of racially motivated violence, xenophobia and intolerance, as well as propaganda activities and organizations that attempt to justify or promote racism, racial discrimination, xenophobia and related intolerance in any form;

3. *Expresses deep concern* at the attempts to establish hierarchies among emerging and resurgent forms of racism, racial discrimination, xenophobia and related intolerance, and urges States to adopt measures to address these scourges with the same emphasis and vigour with a view to preventing this practice and protecting victims;

4. *Stresses* that States and international organizations have a responsibility to ensure that measures taken in the struggle against terrorism do not discriminate in purpose or effect on grounds of race, colour, descent or national or ethnic origin, and urges all States to rescind or refrain from all forms of racial profiling;

5. *Recognizes* that States should implement and enforce appropriate and effective legislative, judicial, regulatory and administrative measures to prevent and protect against acts of racism, racial discrimination, xenophobia and related intolerance, thereby contributing to the prevention of human rights violations;

6. *Also recognizes* that racism, racial discrimination, xenophobia and related intolerance occur on the grounds of race, colour, descent or national or ethnic origin and that victims can suffer multiple or aggravated forms of discrimination based on other related grounds, such as sex, language, religion, political or other opinion, social origin, property, birth or other status;

7. *Reaffirms* that any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law;

8. *Emphasizes* that it is the responsibility of States to adopt effective measures to combat criminal acts motivated by racism, racial discrimination, xenophobia and related intolerance, including measures to ensure that such motivations are considered an aggravating factor for the purposes of sentencing, to prevent those crimes from going unpunished and to ensure the rule of law;

9. *Urges* all States to review and, where necessary, revise their immigration laws, policies and practices so that they are free of racial discrimination and compatible with their obligations under international human rights instruments;

10. *Condemns* the misuse of print, audio-visual and electronic media and new communication technologies, including the Internet, to incite violence motivated by racial hatred, and calls upon States to take all necessary measures to combat this form of racism in accordance with the commitments that they have undertaken under the Durban Declaration and Programme of Action,[1] in particular paragraph 147 of the Programme of Action, in accordance with existing

international and regional standards of freedom of expression and taking all necessary measures to guarantee the right to freedom of opinion and expression;

11. *Encourages* all States to include in their educational curricula and social programmes at all levels, as appropriate, knowledge of and tolerance and respect for all cultures, civilizations, religions, peoples and countries;

12. *Stresses* the responsibility of States to mainstream a gender perspective in the design and development of prevention, education and protection measures aimed at the eradication of racism, racial discrimination, xenophobia and related intolerance at all levels, to ensure that they effectively target the distinct situations of women and men;

II
International Convention on the Elimination of All Forms of Racial Discrimination

13. *Reaffirms* that universal adherence to and full implementation of the International Convention on the Elimination of All Forms of Racial Discrimination[7] are of paramount importance for the fight against racism, racial discrimination, xenophobia and related intolerance, including contemporary forms of racism and racial discrimination, and for the promotion of equality and non-discrimination in the world;

14. *Expresses grave concern* that the universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination was not attained by the year 2005 in accordance with commitments under the Durban Declaration and Programme of Action,[1] and calls upon those States that have not yet done so to accede to the Convention as a matter of urgency;

15. *Urges*, in the above context, the Office of the United Nations High Commissioner for Human Rights to maintain and issue regular updates on its website of a list of countries that have not yet ratified the Convention and to encourage such countries to ratify it at the earliest;

16. *Expresses its concern* at the serious delays in the submission of overdue reports to the Committee on the Elimination of Racial Discrimination, which impedes the effectiveness of the Committee, makes a strong appeal to all States parties to the Convention to comply with their treaty obligations, and reaffirms the importance of the provision of technical assistance to the requesting countries in the preparation of their reports to the Committee;

17. *Invites* States parties to the Convention to ratify the amendment to article 8 of the Convention on the financing of the Committee, and calls for adequate additional resources from the regular budget of the United Nations to enable the Committee to discharge its mandate fully;

18. *Urges* all States parties to the Convention to intensify their efforts to implement the obligations that they have accepted under article 4 of the Convention, with due regard to the principles of the Universal Declaration of Human Rights[8] and article 5 of the Convention;

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[7] United Nations, *Treaty Series*, vol. 660, No. 9464.

[8] Resolution 217 A (III).

19. *Welcomes* the work of the Committee in applying the Convention to the new and contemporary forms of racism and racial discrimination;

20. *Recalls* that the Committee holds that the prohibition of the dissemination of ideas based on racial superiority or racial hatred is compatible with the right to freedom of opinion and expression as outlined in article 19 of the Universal Declaration of Human Rights and in article 5 of the Convention;

21. *Welcomes* the emphasis placed by the Committee on the importance of follow-up to the World Conference and the measures recommended to strengthen the implementation of the Convention as well as the functioning of the Committee;

III

Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

22. *Expresses appreciation* for the contribution of the United Nations High Commissioner for Human Rights to facilitating the participation in and successful outcomes of the Durban Review Conference;

23. *Acknowledges* that the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance is on an equal footing with the outcomes of all the major United Nations conferences, summits and special sessions in the human rights and social fields;

24. *Also acknowledges* that the World Conference, which was the third world conference against racism, was significantly different from the previous two conferences, as evidenced by the inclusion in its title of two important components relating to contemporary forms of racism, namely, xenophobia and related intolerance;

25. *Emphasizes* that the basic responsibility for effectively combating racism, racial discrimination, xenophobia and related intolerance lies with States, and to this end stresses that States have the primary responsibility to ensure full and effective implementation of all commitments and recommendations contained in the Durban Declaration and Programme of Action;[1]

26. *Reaffirms its commitment* to eliminating all forms of racism, racial discrimination, xenophobia and other forms of related intolerance against indigenous peoples, and in this regard notes the attention paid to the objectives of combating prejudice and eliminating discrimination and promoting tolerance, understanding and good relations among indigenous peoples and all other segments of society in the United Nations Declaration on the Rights of Indigenous Peoples;[9]

27. *Emphasizes* the fundamental and complementary role of national human rights institutions, regional bodies or centres and civil society, working jointly with States towards the achievement of the objectives of the Durban Declaration and Programme of Action;

28. *Welcomes* the steps taken by numerous Governments, in particular the elaboration and implementation of national action plans to combat racism, racial discrimination, xenophobia and related intolerance, and steps taken by national human rights institutions and non-governmental organizations, towards the full

[9] Resolution 61/295, annex.

implementation of the Durban Declaration and Programme of Action, and affirms this trend as a demonstration of commitment for the elimination of all scourges of racism at the national level;

29. *Calls upon* all States that have not yet elaborated their national action plans on combating racism, racial discrimination, xenophobia and related intolerance to comply with their commitments undertaken at the World Conference;

30. *Calls upon* all States to formulate and implement without delay, at the national, regional and international levels, policies and plans of action to combat racism, racial discrimination, xenophobia and related intolerance, including their gender-based manifestations;

31. *Welcomes* the adoption of the laudable initiative led by the States members of the Caribbean Community and other Member States for the establishment of a permanent memorial at the United Nations to the victims of slavery and the transatlantic slave trade as a contribution towards the fulfilment of paragraph 101 of the Durban Declaration, expresses its appreciation for contributions made to the voluntary fund established in this regard, and urges other countries to contribute to the fund;

32. *Urges* States to support the activities of existing regional bodies or centres that combat racism, racial discrimination, xenophobia and related intolerance in their respective regions, and recommends the establishment of such bodies in all regions where they do not exist;

33. *Recognizes* the fundamental role of civil society in the fight against racism, racial discrimination, xenophobia and related intolerance, in particular in assisting States to develop regulations and strategies, in taking measures and action against such forms of discrimination and through follow-up implementation;

34. *Decides* that the General Assembly, through its role in policy formulation, the Economic and Social Council, through its role in overall guidance and coordination, in accordance with their respective roles under the Charter of the United Nations and Assembly resolution 50/227 of 24 May 1996, and the Human Rights Council shall constitute a three-tiered intergovernmental process for the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action;

35. *Stresses and reaffirms* its role as the highest intergovernmental mechanism for the formulation and appraisal of policy on matters relating to the economic, social and related fields, in accordance with Chapter IX of the Charter, including in the comprehensive implementation of and follow-up to the goals and targets set at all the major United Nations conferences, summits and special sessions;

36. *Reaffirms* that the Human Rights Council shall continue to have a central role in the monitoring of the implementation of the Durban Declaration and Programme of Action within the United Nations system and in advising the General Assembly thereon;

37. *Expresses its appreciation* for the continuing work in follow-up to the World Conference undertaken by the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the group of independent eminent experts on the implementation of the Durban

Declaration and Programme of Action and the Working Group of Experts on People of African Descent;

38. *Endorses* Human Rights Council resolution 9/14 of 24 September 2008,[10] in which the Council decided to extend the mandate of the Working Group of Experts on People of African Descent for three years;

39. *Welcomes* the convening of the first part of the first session of the Ad Hoc Committee on the Elaboration of Complementary International Standards in February 2008, and requests the Ad Hoc Committee, at the second part of its first session, to comply, with the mandate established in Council decision 3/103 of 8 December 2006;[6]

40. *Acknowledges* the centrality of resource mobilization, effective global partnership and international cooperation in the context of paragraphs 157 and 158 of the Durban Programme of Action for the successful realization of commitments undertaken at the World Conference, and to this end emphasizes the importance of the mandate of the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, especially in mobilizing the necessary political will for the successful implementation of the Declaration and Programme of Action;

41. *Requests* the Secretary-General to provide the necessary resources for the effective fulfilment of the mandates of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent, the group of independent eminent experts on the implementation of the Durban Declaration and Programme of Action, and the Ad Hoc Committee on Complementary International Standards;

42. *Expresses its concern* at the increasing incidence of racism in various sporting events, while noting with appreciation the efforts made by some governing bodies of the various sporting codes to combat racism, and in this regard invites all international sporting bodies to promote, through their national, regional and international federations, a world of sport free from racism and racial discrimination;

43. *Welcomes*, in this context, the initiative of the Fédération internationale de football association to introduce a visible theme on non-racism in football, and requests the Fédération to continue with that initiative at the 2010 soccer World Cup tournament to be held in South Africa;

44. *Urges* those States that have not yet done so to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families adopted by the General Assembly in 1990;[11]

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[10] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53/Add.1), chap. I.

[11] United Nations, *Treaty Series*, vol. 2220, No. 39481.

IV
Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and follow-up to his visits

45. *Expresses its deep appreciation* for the work of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and endorses Human Rights Council resolution 7/34 of 28 March 2008,[12] in which the Council decided to extend the mandate of the Special Rapporteur for a period of three years;

46. *Takes note with appreciation* of the report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance[13] and encourages Member States and other relevant stakeholders to consider implementing the recommendations contained in his report;

47. *Reiterates its call* to all Member States, intergovernmental organizations, relevant organizations of the United Nations system and non-governmental organizations to cooperate fully with the Special Rapporteur, and calls upon States to consider responding favourably to his requests for visits so as to enable him to fulfil his mandate fully and effectively;

48. *Recognizes with deep concern* the increase in anti-Semitism, Christianophobia and Islamophobia in various parts of the world, as well as the emergence of racial and violent movements based on racism and discriminatory ideas directed against Arab, Christian, Jewish and Muslim communities, as well as all religious communities, communities of people of African descent, communities of people of Asian descent, communities of indigenous people and other communities;

49. *Encourages* closer collaboration between the Special Rapporteur and the Office of the United Nations High Commissioner for Human Rights, in particular the Anti-Discrimination Unit;

50. *Urges* the High Commissioner to provide States, at their request, with advisory services and technical assistance to enable them to implement fully the recommendations of the Special Rapporteur;

51. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary human and financial assistance to carry out his mandate efficiently, effectively and expeditiously and to enable him to submit a report to the General Assembly at its sixty-fourth session;

52. *Requests* the Special Rapporteur to continue giving particular attention to the negative impact of racism, racial discrimination, xenophobia and related intolerance on the full enjoyment of civil, cultural, economic, political and social rights by national or ethnic, religious and linguistic minorities, immigrant populations, asylum-seekers and refugees;

53. *Invites* Member States to demonstrate greater commitment to fighting racism in sport by conducting educational and awareness-raising activities and by

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[12] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II, sect. A.

[13] See A/63/339.

strongly condemning the perpetrators of racist incidents, in cooperation with national and international sports organizations;

V
Convening of the Durban Review Conference

54. *Welcomes* the reports of the Preparatory Committee for the Durban Review Conference on its organizational[14] and first[15] and second[16] substantive sessions and endorses the decisions contained therein;

55. *Calls upon* all Member States to participate in the Durban Review Conference;

56. *Welcomes* the convening of the Regional Preparatory Meeting to the Durban Review Conference for Latin America and the Caribbean, held in Brasília from 17 to 19 June 2008, and the Regional Preparatory Meeting for Africa, in Abuja from 24 to 26 August 2008, and in this regard takes note of the contributions of other regional groups;

57. *Takes note* of the written contributions of all relevant stakeholders consistent with the objectives of the Durban Review Conference, in accordance with decision PC.1/10[4] adopted by the Preparatory Committee of the Durban Review Conference at its organizational session;

58. *Recalls* Preparatory Committee decision PC.1/13 of 31 August 2007[4] on the objectives of the Durban Review Conference and endorses decision PC.2/8[5] on the structure of the outcome document;

59. *Reaffirms* that the Durban Review Conference will be undertaken on the basis of and with full respect for the Durban Declaration and Programme of Action[1] and that there will be no renegotiation of the existing agreements therein, and that the issues raised will be in conformity with the contents of the Durban Declaration and Programme of Action;

60. *Endorses* decision PC.1/12,[4] adopted by the Preparatory Committee at its organizational session, on the sources of funding and financial and technical assistance, in which the Preparatory Committee decided to recommend to the General Assembly to appeal for contributions from extrabudgetary resources to cover the cost of participation of representatives of least developed countries in the Durban Review Conference, as well as representatives from other developing countries, and to request the Secretary-General and the United Nations High Commissioner for Human Rights to undertake initiatives to encourage contributions to the voluntary fund;

61. *Reiterates* the decision taken by the Preparatory Committee for the Durban Review Conference at its second substantive session to request the General Assembly to allocate resources from the regular budget of the United Nations to facilitate the participation in the Durban Review Conference of the relevant human rights treaty bodies and thematic special procedures and mechanisms of the Human Rights Council;[5]

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[14] A/62/375.

[15] A/63/112.

[16] To be issued as A/CONF.211/PC.3/11.

62. *Endorses* the decisions adopted by the Preparatory Committee for the Durban Review Conference at its first and second substantive sessions on the continuation of the preparatory process for the Durban Review Conference, as contained in its report on its first substantive session and the excerpt from its report on its second substantive session;[17]

VI
General

63. *Strongly recommends* that no intersessional meetings of the Human Rights Council focusing on the follow-up to the World Conference and the implementation of the Durban Declaration and Programme of Action be so scheduled as to clash or overlap with the meetings of the General Assembly during which this item is being considered;

64. *Requests* the Secretary-General to submit a report with recommendations on the implementation of the present resolution to the General Assembly at its sixty-fourth session;

65. *Decides* to remain seized of this important matter at its sixty-fourth session under the item entitled "Elimination of racism, racial discrimination, xenophobia and related intolerance".

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[17] A/63/112/Add.1; the report of the Preparatory Committee on its second substantive session will be issued in final form as document A/CONF.211/PC.3/11.

United Nations A/C.3/63/L.52

General Assembly

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4 November 2008

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Sixty-third session
Third Committee
Agenda item 63
Right of peoples to self-determination

Afghanistan, Albania, Algeria, Andorra, Angola, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Central African Republic, China, Côte d'Ivoire, Comoros, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Finland, France, Gabon, Greece, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Monaco, Morocco, Myanmar, Namibia, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Romania, Russian Federation, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia and Zimbabwe: draft resolution

The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970 entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

Bearing in mind the International Covenants on Human Rights,[1] the Universal Declaration of Human Rights,[2] the Declaration on the Granting of Independence to

[1] Resolution 2200 A (XXI), annex.
[2] Resolution 217 A (III).

08-58676 (E) 061108

Colonial Countries and Peoples[3] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[4]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[5]

Recalling also the United Nations Millennium Declaration,[6]

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[7] and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,[8]

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,[9]

Expressing the urgent need for the resumption of negotiations within the Middle East peace process on its agreed basis and for the speedy achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides,

Stressing the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling its resolution 62/146 of 18 December 2007,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

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[3] Resolution 1514 (XV).
[4] A/CONF.157/24 (Part I), chap. III.
[5] See resolution 50/6.
[6] See resolution 55/2.
[7] See A/ES-10/273 and Corr.1.
[8] Ibid., advisory opinion, para. 88.
[9] Ibid., para. 122.

United Nations A/C.3/63/L.52*

General Assembly

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Sixty-third session
Third Committee
Agenda item 63
Right of peoples to self-determination

Afghanistan, Albania, Algeria, Andorra, Angola, Armenia, Austria, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Central African Republic, China, Côte d'Ivoire, Comoros, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Egypt, Eritrea, Ethiopia, Finland, France, Gabon, Greece, Guinea, Guyana, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Monaco, Morocco, Myanmar, Namibia, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Poland, Portugal, Qatar, Romania, Russian Federation, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Sierra Leone, Slovakia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe and Palestine: draft resolution

The right of the Palestinian people to self-determination

The General Assembly,

Aware that the development of friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples, is among the purposes and principles of the United Nations, as defined in the Charter,

Recalling, in this regard, its resolution 2625 (XXV) of 24 October 1970 entitled "Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

Bearing in mind the International Covenants on Human Rights,[1] the Universal Declaration of Human Rights,[2] the Declaration on the Granting of Independence to

* Reissued for technical reasons.

[1] Resolution 2200 A (XXI), annex.

[2] Resolution 217 A (III).

08-58676* (E) 121108

Colonial Countries and Peoples[3] and the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights on 25 June 1993,[4]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[5]

Recalling also the United Nations Millennium Declaration,[6]

Recalling further the advisory opinion rendered on 9 July 2004 by the International Court of Justice on the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*,[7] and noting in particular the reply of the Court, including on the right of peoples to self-determination, which is a right *erga omnes*,[8]

Recalling the conclusion of the Court, in its advisory opinion of 9 July 2004, that the construction of the wall by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, along with measures previously taken, severely impedes the right of the Palestinian people to self-determination,[9]

Expressing the urgent need for the resumption of negotiations within the Middle East peace process on its agreed basis and for the speedy achievement of a just, lasting and comprehensive peace settlement between the Palestinian and Israeli sides,

Stressing the need for respect for and preservation of the territorial unity, contiguity and integrity of all of the Occupied Palestinian Territory, including East Jerusalem,

Recalling its resolution 62/146 of 18 December 2007,

Affirming the right of all States in the region to live in peace within secure and internationally recognized borders,

1. *Reaffirms* the right of the Palestinian people to self-determination, including the right to their independent State of Palestine;

2. *Urges* all States and the specialized agencies and organizations of the United Nations system to continue to support and assist the Palestinian people in the early realization of their right to self-determination.

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[3] Resolution 1514 (XV).
[4] A/CONF.157/24 (Part I), chap. III.
[5] See resolution 50/6.
[6] See resolution 55/2.
[7] See A/ES-10/273 and Corr.1.
[8] Ibid., advisory opinion, para. 88.
[9] Ibid., para. 122.

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General Assembly

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5 November 2008

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Sixty-third session
Third Committee
Agenda item 62 (a)
Elimination of racism and racial discrimination: elimination of racism and racial discrimination, xenophobia and related intolerance

Albania, Argentina, Austria, Belgium, Bosnia and Herzegovina, Croatia, Cyprus, Denmark, El Salvador, Estonia, Honduras, Hungary, Italy, Latvia, Lithuania, Luxembourg, Madagascar, Monaco, Moldova, Portugal, Romania, Slovenia and Sweden: draft resolution

International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its previous resolutions on the International Convention on the Elimination of All Forms of Racial Discrimination,[1] most recently resolution 61/148 of 19 December 2006,

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] in particular section II.B of the Declaration, relating to equality, dignity and tolerance,

Reiterating the need to intensify the struggle to eliminate all forms of racism, racial discrimination, xenophobia and related intolerance throughout the world,

Reiterating also the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Reaffirming that universal adherence to and full implementation of the Convention are of paramount importance for promoting equality and non-discrimination in the world, as stated in the Durban Declaration and Programme

[1] United Nations, *Treaty Series*, vol. 660, No. 9464.
[2] A/CONF.157/24 (Part I), chap. III.

08-58951 (E) 061108

of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[3]

Mindful of the importance of the contributions of the Committee on the Elimination of Racial Discrimination to the effective implementation of the Convention and to the efforts of the United Nations to combat racism, racial discrimination, xenophobia and related intolerance,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination, to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations,[4] and reiterating its deep concern that the amendment to the Convention has not yet entered into force,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

I
Reports of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the reports of the Committee on the Elimination of Racial Discrimination on its seventieth and seventy-first[5] and its seventy-second and seventy-third[6] sessions;

2. *Commends* the Committee for its contributions to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[1] especially through the examination of reports under article 9 of the Convention, action on communications under article 14 of the Convention and thematic discussions, which contribute to the prevention and elimination of racism, racial discrimination, xenophobia and related intolerance;

3. *Calls upon* States parties to fulfil their obligation, under article 9, paragraph 1, of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

4. *Expresses its concern* at the fact that a great number of reports are overdue and continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention;

5. *Encourages* States parties to the Convention whose reports are seriously overdue to avail themselves of the advisory services and technical assistance that

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[3] See A/CONF.189/12 and Corr.1, chap. I.

[4] See CERD/SP/45, annex.

[5] *Official Records of the General Assembly, Sixty-second Session Supplement No. 18* (A/62/18).

[6] Ibid., *Sixty-third Session, Supplement No. 18* (A/63/18).

the Office of the United Nations High Commissioner for Human Rights can provide, upon their request, for the preparation of the reports;

6. *Encourages* the Committee to continue to cooperate and exchange information with United Nations bodies and mechanisms, in particular with the Human Rights Council, its Advisory Committee and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and with intergovernmental organizations, as well as with non-governmental organizations;

7. *Encourages* States parties to the Convention to continue to include a gender perspective in their reports to the Committee, and invites the Committee to take into account a gender perspective in the implementation of its mandate;

8. *Notes with appreciation* the engagement of the Committee in the follow-up to the Durban Declaration and Programme of Action;[3]

9. *Expresses its appreciation* for the efforts made so far by the Committee to improve the efficiency of its working methods, and encourages the Committee to continue its activities in this regard, taking into account the desirability of harmonizing the working methods of the treaty bodies;

10. *Welcomes*, in this regard, measures taken by the Committee to follow up on its concluding observations and recommendations, such as the appointment of a follow-up coordinator[7] and the adoption of the guidelines on the follow-up;[8]

11. *Encourages* the continued participation of members of the Committee in the annual inter-committee meetings and meetings of chairpersons of the human rights treaty bodies, especially with a view to a more coordinated approach to the activities of the treaty body system and standardized reporting;

II
Financial situation of the Committee on the Elimination of Racial Discrimination

12. *Takes note* of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;[9]

13. *Expresses its profound concern* at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination[1] have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under article 8, paragraph 6, of the Convention;

14. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992,[4] endorsed

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[7] Ibid., *Sixtieth Session, Supplement No. 18* (A/60/18), annex IV.
[8] Ibid., *Sixty-first Session, Supplement No. 18* (A/61/18), annex VI.
[9] A/63/306.

by the General Assembly in its resolution 47/111 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

15. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and to provide the necessary support, including an adequate level of Secretariat assistance, in order to ensure the functioning of the Committee and to enable it to cope with its increasing amount of work;

16. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its sixty-fifth session;

17. *Notes* the persistent backlog of reports of States parties waiting for consideration, which prevents the Committee from considering the periodic reports of State parties in a timely manner and without undue delay;

18. *Also notes* the request of the Committee that the General Assembly authorize an extension of its meeting time, which is currently only six weeks per year;

19. *Decides* to authorize the Committee to meet for an additional week per session as of 2010;

III
Status of the International Convention on the Elimination of All Forms of Racial Discrimination

20. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[10]

21. *Expresses its satisfaction* at the number of States that have ratified or acceded to the Convention, which now stands at one hundred and seventy-three;

22. *Urges* States parties to comply fully with their obligations under the Convention and to take into consideration the concluding observations and general recommendations of the Committee on the Elimination of Racial Discrimination;

23. *Reaffirms its conviction* that ratification of or accession to the Convention on a universal basis and the implementation of its provisions are necessary for the effectiveness of the fight against racism, racial discrimination, xenophobia and related intolerance and for the implementation of the commitments undertaken under the Durban Declaration and Programme of Action,[3] and expresses its disappointment that universal ratification of the Convention was not achieved by the targeted date of 2005;

24. *Urges* all States that have not yet become parties to the Convention to ratify or accede to it as a matter of urgency;

25. *Urges* States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible in order to ensure that no reservation is incompatible with the object and purpose of the Convention, to review their reservations on a regular basis with a

[10] A/63/473.

view to withdrawing them, and to withdraw reservations that are contrary to the object and purpose of the Convention;

26. *Notes* that the number of States parties to the Convention that have made the declaration provided for in article 14 of the Convention now stands at fifty-three, and requests States parties that have not yet done so to consider making that declaration;

27. *Invites* the Chairman of the Committee on the Elimination of Racial Discrimination to present an oral report on the work of the Committee and to engage into an interactive dialogue with the General Assembly at its sixty-fifth session under the item entitled "Elimination of racism and racial discrimination";

28. *Decides* to consider, at its sixty-fifth session, under the item entitled "Elimination of racism and racial discrimination", the reports of the Committee on its seventy-fourth and seventy-fifth and its seventy-sixth and seventy-seventh sessions, the report of the Secretary-General on the financial situation of the Committee and the report of the Secretary-General on the status of the Convention.

United Nations A/C.3/63/L.53/Rev.1

General Assembly

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Sixty-third session

Third Committee

Agenda item 62 (a)

Elimination of racism and racial discrimination: elimination of racism and racial discrimination, xenophobia and related intolerance

Albania, Argentina, Austria, Belgium, Bosnia and Herzegovina, Costa Rica, Croatia, Cyprus, Denmark, El Salvador, Estonia, Finland, Honduras, Hungary, Italy, Latvia, Lithuania, Luxembourg, Madagascar, Monaco, Portugal, Republic of Moldova, Romania, Slovenia, Sweden, Switzerland, Turkey and Venezuela (Bolivarian Republic of): revised draft resolution

International Convention on the Elimination of All Forms of Racial Discrimination

The General Assembly,

Recalling its previous resolutions on the International Convention on the Elimination of All Forms of Racial Discrimination,[1] most recently resolution 61/148 of 19 December 2006,

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[2] in particular section II.B of the Declaration, relating to equality, dignity and tolerance,

Reiterating the need to intensify the struggle to eliminate all forms of racism, racial discrimination, xenophobia and related intolerance throughout the world,

Reiterating also the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Reaffirming that universal adherence to and full implementation of the Convention are of paramount importance for promoting equality and non-discrimination in the world, as stated in the Durban Declaration and Programme

[1] United Nations, *Treaty Series*, vol. 660, No. 9464.

[2] A/CONF.157/24 (Part I), chap. III.

of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance on 8 September 2001,[3]

Mindful of the importance of the contributions of the Committee on the Elimination of Racial Discrimination to the effective implementation of the Convention and to the efforts of the United Nations to combat racism, racial discrimination, xenophobia and related intolerance,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination, to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations,[4] and reiterating its deep concern that the amendment to the Convention has not yet entered into force,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

I
Reports of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the reports of the Committee on the Elimination of Racial Discrimination on its seventieth and seventy-first[5] and its seventy-second and seventy-third[6] sessions;

2. *Commends* the Committee for its contributions to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,[1] especially through the examination of reports under article 9 of the Convention, action on communications under article 14 of the Convention and thematic discussions, which contribute to the prevention and elimination of racism, racial discrimination, xenophobia and related intolerance;

3. *Calls upon* States parties to fulfil their obligation, under article 9, paragraph 1, of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

4. *Expresses its concern* at the fact that a great number of reports are overdue and continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention;

5. *Encourages* States parties to the Convention whose reports are seriously overdue to avail themselves of the advisory services and technical assistance that

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[3] See A/CONF.189/12 and Corr.1, chap. I.

[4] See CERD/SP/45, annex.

[5] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 18* (A/62/18).

[6] Ibid., *Sixty-third Session, Supplement No. 18* (A/63/18).

the Office of the United Nations High Commissioner for Human Rights can provide, upon their request, for the preparation of the reports;

6. *Encourages* the Committee to continue to cooperate and exchange information with United Nations bodies and mechanisms, in particular with the Human Rights Council, its Advisory Committee and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and with intergovernmental organizations, as well as with non-governmental organizations;

7. *Encourages* States parties to the Convention to continue to include a gender perspective in their reports to the Committee, and invites the Committee to take into account a gender perspective in the implementation of its mandate;

8. *Notes with appreciation* the engagement of the Committee in the follow-up to the Durban Declaration and Programme of Action;[7]

9. *Expresses its appreciation* for the efforts made so far by the Committee to improve the efficiency of its working methods, including with a view to further harmonizing the working methods of the treaty bodies, and encourages the Committee to continue its activities in this regard;

10. *Welcomes*, in this regard, measures taken by the Committee to follow up on its concluding observations and recommendations, such as the appointment of a follow-up coordinator[7] and the adoption of the guidelines on the follow-up;[8]

11. *Encourages* the continued participation of members of the Committee in the annual inter-committee meetings and meetings of chairpersons of the human rights treaty bodies, especially with a view to a more coordinated approach to the activities of the treaty body system and standardized reporting as well as to solving the problem of backlog of reports of States parties in an effective manner, including by identifying efficiencies and maximizing the use of their resources as well as learning and sharing best practices and experiences in this regard;

12. *Notes* the persistent backlog of reports of States parties waiting for consideration, which prevents the Committee from considering the periodic reports of States parties in a timely manner and without undue delay, as well as the request of the Committee that the General Assembly authorize an extension of its meeting time, which is currently only six weeks per year;

13. *Decides* to authorize the Committee to meet for an additional week per session, as a temporary measure, with effect from August 2009 until 2011;

14. *Also decides* to assess the situation regarding the meeting time of the Committee at its sixty-fifth session on the basis of an evaluation made by the Office of the United Nations High Commissioner for Human Rights, taking into account a more comprehensive approach towards the backlog of human rights treaty bodies and the increasing number of reports of States parties to the human rights conventions;

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[7] Ibid., *Sixtieth Session, Supplement No. 18* (A/60/18), annex IV.

[8] Ibid., *Sixty-first Session, Supplement No. 18* (A/61/18), annex VI.

II
Financial situation of the Committee on the Elimination of Racial Discrimination

15. *Takes note* of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;[9]

16. *Expresses its profound concern* at the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination[1] have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under article 8, paragraph 6, of the Convention;

17. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992,[4] endorsed by the General Assembly in its resolution 47/111 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

18. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and to provide the necessary support, including an adequate level of Secretariat assistance, in order to ensure the functioning of the Committee and to enable it to cope with its increasing amount of work;

19. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears, and to report thereon to the General Assembly at its sixty-fifth session;

III
Status of the International Convention on the Elimination of All Forms of Racial Discrimination

20. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;[10]

21. *Expresses its satisfaction* at the number of States that have ratified or acceded to the Convention, which now stands at one hundred and seventy-three;

22. *Urges* States parties to comply fully with their obligations under the Convention and to take into consideration the concluding observations and general recommendations of the Committee on the Elimination of Racial Discrimination;

23. *Reaffirms its conviction* that ratification of or accession to the Convention on a universal basis and the implementation of its provisions are necessary for the effectiveness of the fight against racism, racial discrimination, xenophobia and related intolerance and for the implementation of the commitments undertaken under the Durban Declaration and Programme of Action,[3] and expresses

[9] A/63/306.
[10] A/63/473.

its disappointment that universal ratification of the Convention was not achieved by the targeted date of 2005;

24. *Urges* all States that have not yet become parties to the Convention to ratify or accede to it as a matter of urgency;

25. *Urges* States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible in order to ensure that no reservation is incompatible with the object and purpose of the Convention, to review their reservations on a regular basis with a view to withdrawing them, and to withdraw reservations that are contrary to the object and purpose of the Convention;

26. *Notes* that the number of States parties to the Convention that have made the declaration provided for in article 14 of the Convention now stands at fifty-three, and requests States parties that have not yet done so to consider making that declaration;

27. *Invites* the Chairman of the Committee on the Elimination of Racial Discrimination to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its sixty-fifth session under the item entitled "Elimination of racism and racial discrimination";

28. *Decides* to consider, at its sixty-fifth session, under the item entitled "Elimination of racism and racial discrimination", the reports of the Committee on its seventy-fourth and seventy-fifth and its seventy-sixth and seventy-seventh sessions, the report of the Secretary-General on the financial situation of the Committee and the report of the Secretary-General on the status of the Convention.

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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Djibouti and Republic of Moldova: draft resolution

Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 2008/255 of 25 July 2008 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the requests regarding the enlargement of the Executive Committee contained in the letter dated 29 February 2008 from the Permanent Representative of Djibouti to the United Nations addressed to the Secretary-General,[1] and the letter dated 30 May 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the Republic of Moldova to the United Nations addressed to the Secretary-General,[2]

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from seventy-six to seventy-eight States;

2. *Requests* the Economic and Social Council to elect the additional members at its resumed organizational session for 2009.

[1] E/2008/63.
[2] E/2008/84.

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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Azerbaijan, Bangladesh, Bosnia and Herzegovina, Comoros, Iraq, Jordan and Morocco: draft resolution

New international humanitarian order

The General Assembly,

Recalling its resolution 61/138 of 19 December 2006, all previous resolutions concerning the promotion of a new international humanitarian order[1] and all relevant resolutions, in particular resolution 46/182 of 19 December 1991 on the strengthening of the coordination of humanitarian emergency assistance of the United Nations, and the annex thereto, and resolution 62/94 of 17 December 2007 on strengthening of the coordination of emergency humanitarian assistance of the United Nations,

Noting with appreciation the continuing efforts of the Office for the Coordination of Humanitarian Affairs of the Secretariat and the Inter-Agency Standing Committee, as well as other United Nations agencies in the context of international humanitarian assistance,

Recognizing the importance of action at the national and regional levels and the role that regional organizations can play in certain cases to prevent, where possible, humanitarian crises, and emphasizing the importance of continued international cooperation in support of affected States in dealing with natural disasters and complex emergencies,

Noting with appreciation the continuing efforts of the United Nations system to increase its capacity and that of its Member States to provide assistance to victims of humanitarian emergencies,

[1] Resolutions 36/136, 37/201, 38/125, 40/120, 42/121, 43/129, 43/130, 45/101, 45/102, 47/106, 49/170, 51/74, 53/124, 55/73, 57/184 and 59/171.

08-58978 (E) 061108

Recognizing the important role that international organizations, intergovernmental organizations, civil society, including non-governmental organizations, and the private sector can play, within their respective mandates in the humanitarian context,

1. *Recognizes* the need for the further strengthening of national, regional and international efforts to address humanitarian emergencies;

2. *Expresses its appreciation* for the continuing efforts of the Secretary-General in the humanitarian field, and invites him to continue to promote strict adherence to refugee law, international humanitarian law and internationally agreed norms and principles in situations of humanitarian emergencies;

3. *Urges* Governments, intergovernmental organizations and civil society, including non-governmental organizations, to extend cooperation and support to the efforts of the Secretary-General, inter alia, through the relevant United Nations agencies and organizational mechanisms set up to address the assistance and protection needs of affected populations as well as the safety and security of United Nations and other humanitarian workers;

4. *Encourages* intergovernmental organizations and civil society, including non-governmental organizations, as well as the private sector, where appropriate, to assist and support national and international efforts to respond to humanitarian emergencies;

5. *Invites* Member States, the Office for the Coordination of Humanitarian Affairs of the Secretariat, relevant entities of the United Nations system and intergovernmental organizations and civil society, including non-governmental organizations, to reinforce activities and cooperation so as to continue to develop an agenda for humanitarian action;

6. *Requests* the Secretary-General to report on these issues to the General Assembly at its sixty-fifth session in his annual report on "Strengthening of the coordination of emergency humanitarian assistance of the United Nations".

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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Austria, Belgium, Bosnia and Herzegovina, Cameroon, Canada, Côte d'Ivoire, Croatia, Czech Republic, Denmark, Ecuador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Germany, Guatemala, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Mexico, Monaco, Netherlands, New Zealand, Norway, Panama, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, Timor-Leste, Uganda, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

Office of the United Nations High Commissioner for Refugees

The General Assembly,

Having considered the report of the United Nations High Commissioner for Refugees on the activities of his Office[1] and the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-ninth session[2] and the conclusion and decisions contained therein,

Recalling its previous annual resolutions on the work of the Office of the United Nations High Commissioner for Refugees since its establishment by the General Assembly,

Expressing its appreciation for the leadership shown by the High Commissioner, commending the staff and implementing partners of the Office of the High Commissioner for the competent, courageous and dedicated manner in which they discharge their responsibilities, and underlining its strong condemnation of all forms of violence to which humanitarian personnel and United Nations and associated personnel are increasingly exposed,

[1] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 12* (A/63/12).
[2] Ibid., *Supplement No. 12A* (A/63/12/Add.1).

08-59057 (E) 071108

1. *Endorses* the report of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees on the work of its fifty-ninth session;[2]

2. *Welcomes* the important work undertaken by the Office of the United Nations High Commissioner for Refugees and its Executive Committee in the course of the year, which is aimed at strengthening the international protection regime and at assisting Governments in meeting their protection responsibilities;

3. *Notes with appreciation* the important guidance provided in the Executive Committee general conclusion on international protection;[3]

4. *Reaffirms* the 1951 Convention relating to the Status of Refugees[4] and the 1967 Protocol thereto[5] as the foundation of the international refugee protection regime, recognizes the importance of their full and effective application by States parties and the values they embody, notes with satisfaction that one hundred and forty-seven States are now parties to one instrument or to both, encourages States not parties to consider acceding to those instruments, underlines in particular the importance of full respect for the principle of non-refoulement, and recognizes that a number of States not parties to the international refugee instruments have shown a generous approach to hosting refugees;

5. *Notes* that sixty-three States are now parties to the 1954 Convention relating to the Status of Stateless Persons[6] and that thirty-five States are parties to the 1961 Convention on the Reduction of Statelessness,[7] encourages States that have not done so to give consideration to acceding to those instruments, notes the work of the High Commissioner in regard to identifying stateless persons, preventing and reducing statelessness and protecting stateless persons, and urges the Office of the High Commissioner to continue to work in this area in accordance with relevant General Assembly resolutions and Executive Committee conclusions;

6. *Re-emphasizes* that the protection of refugees is primarily the responsibility of States, whose full and effective cooperation, action and political resolve are required to enable the Office of the High Commissioner to fulfil its mandated functions, and strongly emphasizes, in this context, the importance of active international solidarity and burden- and responsibility-sharing;

7. *Also re-emphasizes* that prevention and reduction of statelessness are primarily the responsibility of States, in appropriate cooperation with the international community;

8. *Further re-emphasizes* that protection of and assistance to internally displaced persons are primarily the responsibility of States, in appropriate cooperation with the international community;

9. *Takes note* of the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and

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[3] Ibid., chap. III, sect. A.

[4] United Nations, *Treaty Series*, vol. 189, No. 2545.

[5] Ibid., vol. 606, No. 8791.

[6] Ibid., vol. 360, No. 5158.

[7] Ibid., vol. 989, No. 14458.

should not undermine the mandate of the Office for refugees and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

10. *Notes with appreciation* the process of structural and management change being undertaken by the Office of the High Commissioner, and encourages the Office to continue its pursuit of reforms, including the implementation of a results-based management framework and strategy, that would enable it to respond adequately and in a more efficient manner to the needs of its beneficiaries and ensure effective and transparent use of its resources;

11. *Encourages* the Office of the High Commissioner to pursue its efforts to strengthen its capacity to respond adequately to emergencies and thereby ensure a more predictable response to inter-agency commitments in case of emergency;

12. *Strongly condemns* attacks on refugees, asylum-seekers and internally displaced persons as well as acts that pose a threat to their personal security and well-being, and calls upon all concerned States and, where applicable, parties involved in an armed conflict to take all necessary measures to ensure respect for human rights and international humanitarian law;

13. *Deplores* the refoulement and unlawful expulsion of refugees and asylum-seekers, and calls upon all concerned States to ensure respect for the relevant principles of refugee protection and human rights;

14. *Emphasizes* that international protection of refugees is a dynamic and action-oriented function that is at the core of the mandate of the Office of the High Commissioner and that it includes, in cooperation with States and other partners, the promotion and facilitation of, inter alia, the admission, reception and treatment of refugees in accordance with internationally agreed standards and the ensuring of durable, protection-oriented solutions, bearing in mind the particular needs of vulnerable groups and paying special attention to those with specific needs, and notes in this context that the delivery of international protection is a staff-intensive service that requires adequate staff with the appropriate expertise, especially at the field level;

15. *Affirms* the importance of age, gender and diversity mainstreaming in analysing protection needs and in ensuring the participation of refugees and other persons of concern to the Office of the High Commissioner, as appropriate, in the planning and implementation of programmes of the Office and State policies, and also affirms the importance of according priority to addressing discrimination, gender inequality and the problem of sexual and gender-based violence, recognizing the importance of addressing the protection needs of women and children in particular;

16. *Strongly reaffirms* the fundamental importance and the purely humanitarian and non-political character of the function of the Office of the High Commissioner of providing international protection to refugees and seeking permanent solutions to refugee problems, and recalls that those solutions include voluntary repatriation and, where appropriate and feasible, local integration and resettlement in a third country, while reaffirming that voluntary repatriation, supported, as necessary, by rehabilitation and development assistance to facilitate sustainable reintegration, remains the preferred solution;

17. *Expresses concern* about the particular difficulties faced by the millions of refugees in protracted situations, and emphasizes the need to redouble international efforts and cooperation to find practical and comprehensive approaches to resolving their plight and to realize durable solutions for them, consistent with international law and relevant General Assembly resolutions;

18. *Recognizes* the importance of achieving durable solutions to refugee problems and, in particular, the need to address in this process the root causes of refugee movements in order to avert new flows of refugees;

19. *Recalls* the important role of effective partnerships and coordination in meeting the needs of refugees and in finding durable solutions to their situations, welcomes the efforts under way, in cooperation with countries hosting refugees and countries of origin, including their respective local communities, relevant United Nations agencies, international and intergovernmental organizations, regional organizations, as appropriate, non-governmental organizations and development actors, to promote a framework for durable solutions, particularly in protracted refugee situations, which includes an approach to sustainable and timely return which encompasses repatriation, reintegration, rehabilitation and reconstruction activities, and encourages States, in cooperation with relevant United Nations agencies, international and intergovernmental organizations, regional organizations, non-governmental organizations and development actors, to support, inter alia, through the allocation of funds, the implementation of such a framework to facilitate an effective transition from relief to development;

20. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of return and reintegration;

21. *Welcomes* the progress that has been achieved in increasing the number of refugees resettled and the number of States offering opportunities for resettlement, and the contribution that those States make to durable solutions to refugees, and invites interested States, the Office of the High Commissioner and other relevant partners to make use of the Multilateral Framework of Understandings on Resettlement,[8] where appropriate and feasible;

22. *Notes* the progress that is being made by interested States and the Office of the High Commissioner to take forward elements outlined in the Mexico Plan of Action to Strengthen International Protection of Refugees in Latin America, adopted on 16 November 2004,[8] and expresses its support for the efforts to promote its implementation with the cooperation and assistance of the international community, as appropriate, as well as by supporting host communities that receive large numbers of persons who require international protection;

23. *Also notes* that some progress is being made by interested States and the Office of the High Commissioner within the context of the European-Asian Programme on Forced Displacement and Migration on issues related to asylum and forced displacement, consistent with the mandate of the Office;

24. *Further notes* the importance of States and the Office of the High Commissioner discussing and clarifying the role of the Office in mixed migratory flows, in order to better address protection needs in the context of mixed migratory

[8] Available from www.unhcr.org.

flows, including by safeguarding access to asylum for those in need of international protection, and notes the readiness of the High Commissioner, consistent with his mandate, to assist States in fulfilling their protection responsibilities in this regard;

25. *Emphasizes* the obligation of all States to accept the return of their nationals, calls upon States to facilitate the return of their nationals who have been determined not to be in need of international protection, and affirms the need for the return of persons to be undertaken in a safe and humane manner and with full respect for their human rights and dignity, irrespective of the status of the persons concerned;

26. *Notes* the important number of displaced in and from Iraq and the impact of those flows of persons on the social and economic situation of countries in the region, and calls upon the international community to act in a targeted and coordinated manner to provide protection and increased assistance to the persons displaced to enable the countries in the region to strengthen their capacity to respond to the needs in partnership with the Office of the High Commissioner, other United Nations agencies, the International Red Cross and Red Crescent Movement and non-governmental organizations;

27. *Urges* all States and relevant non-governmental and other organizations, in conjunction with the Office of the High Commissioner, in a spirit of international solidarity and burden- and responsibility-sharing, to cooperate and to mobilize resources with a view to enhancing the capacity of and reducing the heavy burden borne by host countries, in particular those that have received large numbers of refugees and asylum-seekers, and calls upon the Office to continue to play its catalytic role in mobilizing assistance from the international community to address the root causes as well as the economic, environmental and social impact of large-scale refugee populations in developing countries, in particular the least developed countries, and countries with economies in transition;

28. *Calls upon* the Office of the High Commissioner to further explore ways and means to broaden its donor base, so as to achieve greater burden-sharing by reinforcing cooperation with governmental donors, non-governmental donors and the private sector;

29. *Recognizes* that adequate and timely resources are essential for the Office of the High Commissioner to continue to fulfil the mandate conferred upon it through its statute[9] and by subsequent General Assembly resolutions on refugees and other persons of concern, recalls its resolutions 58/153 of 22 December 2003, 58/270 of 23 December 2003, 59/170 of 20 December 2004, 60/129 of 16 December 2005, 61/137 of 19 December 2006 and 62/124 of 18 December 2007 concerning, inter alia, the implementation of paragraph 20 of the statute of the Office, and urges Governments and other donors to respond promptly to annual and supplementary appeals issued by the Office for requirements under its programmes;

30. *Requests* the High Commissioner to report on his activities to the General Assembly at its sixty-fourth session.

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[9] Resolution 428 (V), annex.

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Report of the Human Rights Council

Cuba* and Mauritius:** draft resolution

Report of the Human Rights Council

The General Assembly,

Having considered the recommendations contained in the report of the Human Rights Council for the period from 10 September 2007 to 24 September 2008,[1]

Takes note of the report of the Human Rights Council,[1] and endorses the recommendations contained therein.

* On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

** On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] See *Official Records of the General Assembly, Sixty-third Session, Supplements No. 53 and 53A* (A/63/53 and Add.1).

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Report of the Human Rights Council

Cuba and Mauritius:*** draft resolution**

Report of the Human Rights Council

The General Assembly,

Having considered the recommendations contained in the report of the Human Rights Council,[1]

Takes note of the report of the Human Rights Council,[1] and endorses the recommendations contained therein.

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* Reissued for technical reasons.

** On behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries.

*** On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] See *Official Records of the General Assembly, Sixty-third Session, Supplements No. 53 and 53A* (A/63/53 and Add.1).

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Report of the Human Rights Council

Mauritius:* revised draft resolution

Report of the Human Rights Council

The General Assembly,

Having considered the recommendations contained in the report of the Human Rights Council,[1]

Takes note of the report of the Human Rights Council,[1] and endorses the recommendations contained therein.

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] See *Official Records of the General Assembly, Sixty-third Session, Supplements No. 53 and 53A* (A/63/53 and Add.1).

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Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Mauritius:* draft resolution

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[1] and the African Charter on Human and Peoples' Rights,[2]

Reaffirming that the 1951 Convention relating to the Status of Refugees,[3] together with the 1967 Protocol thereto,[4] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Recognizing the particular vulnerability of women and children among refugees and other persons of concern, including exposure to discrimination and sexual and physical abuse,

Recognizing also that refugees, internally displaced persons and, in particular, women and children are at an increased risk of exposure to HIV/AIDS, malaria and other infectious diseases,

Expressing its appreciation for the African Union's decision to convene the Special Summit of Heads of State and Government of the African Union on Refugees, Returnees and Internally Displaced Persons in Africa, and recognizing the process to elaborate a draft African Union convention for the protection and assistance of internally displaced persons in Africa,

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[2] Ibid., vol. 1520, No. 26363.

[3] Ibid., vol. 189, No. 2545.

[4] Ibid., vol. 66, No. 8791.

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1. *Takes note* of the reports of the Secretary-General[5] and the United Nations High Commissioner for Refugees;[6]

2. *Notes* the need for African States to address resolutely root causes of all forms of forced displacement in Afrjca and to foster peace, stability and prosperity throughout the African continent so as to forestall refugee flows;

3. *Notes with great concern* that, despite all of the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious, and calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

4. *Welcomes* decision EX.CL/Dec.423(XIII) on the situation of refugees, returnees and displaced persons in Africa adopted by the Executive Council of the African Union at its thirteenth ordinary session, held in Sharm el-Sheikh from 24 to 28 June 2008;[7]

5. *Expresses its appreciation* for the leadership shown by the Office of the United Nations High Commissioner for Refugees, and commends the Office for its ongoing efforts, with the support of the international community, to assist African countries of asylum and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

6. *Notes* the initiatives taken by the African Union and the African Commission on Human and Peoples' Rights, in particular the role of its Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa;

7. *Takes note* of the general conclusion on international protection, adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its fifty-ninth session, held at Geneva from 6 to 10 October 2008;[8]

8. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of return and reintegration;

9. *Also recognizes* the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

10. *Recalls* the conclusion on registration of refugees and asylum-seekers adopted by the Executive Committee at its fifty-second session,[9] notes the many forms of harassment faced by refugees and asylum-seekers who remain without any form of documentation attesting to their status, recalls the responsibility of States to

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[5] A/63/321.

[6] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 12* (A/63/12).

[7] See African Union, document EX.CL/Dec.415-453 (XIII).

[8] *Official Records of the General Assembly, Sixty-second Session, Supplement No. 12A* (A/63/12/Add.1), chap. III, sect. A.

[9] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 12A* (A/56/12/Add.1), chap. III, sect. B.

register refugees on their territories, and, as appropriate, the responsibility of the Office of the High Commissioner or mandated international bodies to do so, reiterates in this context the central role that early and effective registration and documentation can play, guided by protection considerations, in enhancing protection and supporting efforts to find durable solutions, and calls upon the Office, as appropriate, to help States to conduct this procedure should they be unable to register refugees on their territory;

11. *Calls upon* the international community, including States and the Office of the High Commissioner and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute generously to projects and programmes aimed at alleviating their plight and facilitating durable solutions for refugees and displaced persons;

12. *Reaffirms* the importance of timely and adequate assistance and protection for refugees, returnees and displaced persons, also reaffirms that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection, notes the importance of a rights- and community-based approach in engaging constructively with individual refugees, returnees and displaced persons and their communities so as to achieve fair and equitable access to food and other forms of material assistance, and expresses concern in regard to situations in which minimum standards of assistance are not met, including those in which adequate needs assessments have yet to be undertaken;

13. *Also reaffirms* that respect by States for their protection responsibilities towards refugees is strengthened by international solidarity involving all members of the international community and that the refugee protection regime is enhanced through committed international cooperation in a spirit of solidarity and burden- and responsibility-sharing among all States;

14. *Further reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, calls upon States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character, and encourages the High Commissioner to continue efforts, in consultation with States and other relevant actors, to ensure the civilian and humanitarian character of camps;

15. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, calls upon States of refuge, in cooperation with international organizations, where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers, notes with interest that the High Commissioner has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue those efforts, in consultation with States and other relevant actors;

16. *Deplores* the continuing violence and insecurity which constitute an ongoing threat to the safety and security of staff members of the Office of the High Commissioner and other humanitarian organizations and an obstacle to the effective fulfilment of the mandate of the Office and the ability of its implementing partners and other humanitarian personnel to discharge their respective humanitarian functions, urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure the safety and security of the personnel and property of the Office and that of all humanitarian organizations discharging functions mandated by the Office, and calls upon States to investigate fully any crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes;

17. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the protection system for refugees, asylum-seekers and internally displaced persons;

18. *Calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of humanitarian activities, in particular those Governments that have received large numbers of refugees and asylum-seekers;

19. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

20. *Also reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urges the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations;

21. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

22. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden- and responsibility-sharing, to the third-country

resettlement needs of African refugees, notes in this regard the importance of using resettlement strategically, as part of situation-specific comprehensive responses to refugee situations, and to this end encourages interested States, the Office of the High Commissioner and other relevant partners to make full use of the Multilateral Framework of Understandings on Resettlement,[10] where appropriate;

23. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

24. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, inter alia, as a result of repatriation possibilities, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

25. *Encourages* the Office of the High Commissioner and interested States to identify protracted refugee situations which might lend themselves to resolution through the development of specific, multilateral, comprehensive and practical approaches to resolving such refugee situations, including improvement of international burden- and responsibility-sharing and realization of durable solutions, within a multilateral context;

26. *Expresses grave concern* about the plight of internally displaced persons in Africa, notes the efforts of African States in strengthening the regional mechanisms for protection of and assistance to internally displaced persons, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,[11] takes note of the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

27. *Invites* the Representative of the Secretary-General on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Human Rights Council and the General Assembly;

28. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its sixty-fourth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".

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[10] Available from www.unhcr.org.

[11] E/CN.4/1998/53/Add.2, annex.

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Third Committee
Agenda item 39
Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions

Mauritius:* revised draft resolution

Assistance to refugees, returnees and displaced persons in Africa

The General Assembly,

Recalling the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 1969[1] and the African Charter on Human and Peoples' Rights,[2]

Reaffirming that the 1951 Convention relating to the Status of Refugees,[3] together with the 1967 Protocol thereto,[4] as complemented by the Organization of African Unity Convention of 1969, remains the foundation of the international refugee protection regime in Africa,

Recognizing the particular vulnerability of women and children among refugees and other persons of concern, including exposure to discrimination and sexual and physical abuse,

Recognizing also that refugees, internally displaced persons and, in particular, women and children are at an increased risk of exposure to HIV/AIDS, malaria and other infectious diseases,

Expressing appreciation for the African Union's decision to convene the Special Summit of Heads of State and Government of the African Union on Refugees, Returnees and Internally Displaced Persons in Africa, and welcoming the

* On behalf of the States Members of the United Nations that are members of the Group of African States.

[1] United Nations, *Treaty Series*, vol. 1001, No. 14691.

[2] Ibid., vol. 1520, No. 26363.

[3] Ibid., vol. 189, No. 2545.

[4] Ibid., vol. 606, No. 8791.

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ongoing process to elaborate a draft African Union convention for the protection and assistance of internally displaced persons in Africa,

Noting with appreciation the Pact on Security, Stability and Development in the Great Lakes Region[5] and its instruments, in particular two of the Protocols to the Pact which are relevant to the protection of displaced persons, namely, the Protocol on the Protection of and Assistance to Internally Displaced Persons, and the Protocol on the Property Rights of Returning Persons,

1. *Takes note* of the reports of the Secretary-General[6] and the United Nations High Commissioner for Refugees;[7]

2. *Notes* the need for African States to address resolutely root causes of all forms of forced displacement in Africa and to foster peace, stability and prosperity throughout the African continent so as to forestall refugee flows;

3. *Notes with great concern* that, despite all of the efforts made so far by the United Nations, the African Union and others, the situation of refugees and displaced persons in Africa remains precarious, and calls upon States and other parties to armed conflict to observe scrupulously the letter and spirit of international humanitarian law, bearing in mind that armed conflict is one of the principal causes of forced displacement in Africa;

4. *Welcomes* decision EX.CL/Dec.423 (XIII) on the situation of refugees, returnees and displaced persons in Africa adopted by the Executive Council of the African Union at its thirteenth ordinary session, held in Sharm el-Sheikh on 27 and 28 June 2008;[8]

5. *Expresses its appreciation* for the leadership shown by the Office of the United Nations High Commissioner for Refugees, and commends the Office for its ongoing efforts, with the support of the international community, to assist African countries of asylum and to respond to the protection and assistance needs of refugees, returnees and displaced persons in Africa;

6. *Notes* the initiatives taken by the African Union and the African Commission on Human and Peoples' Rights, in particular the role of its Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa;

7. *Notes with appreciation* the general conclusion on international protection adopted by the Executive Committee of the Programme of the United Nations High Commissioner for Refugees at its fifty-ninth session, held at Geneva from 6 to 10 October 2008;[9]

8. *Acknowledges* the important contribution of the age, gender and diversity mainstreaming strategy in identifying, through a participatory approach, the protection risks faced by the different members of the refugee community, in

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[5] www.icglr.org.

[6] A/63/321.

[7] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 12* (A/63/12).

[8] See African Union document EX.CL/Dec.415-453 (XIII).

[9] *Official Records of the General Assembly, Sixty-third Session, Supplement No. 12A* (A/63/12/Add.1), chap. III, sect. A.

particular the non-discriminatory treatment and protection of refugee women and refugee children and minority groups of refugees;

9. *Affirms* that children, because of their age, social status and physical and mental development, are often more vulnerable than adults in situations of forced displacement, recognizes that forced displacement, return to post-conflict situations, integration in new societies, protracted situations of displacement and statelessness can increase child-protection risks, taking into account the particular vulnerability of refugee children to forcible exposure to the risks of physical and psychological injury, exploitation and death in connection with armed conflict, and acknowledges that wider environmental factors and individual risk factors, particularly when combined, may generate different protection needs;

10. *Recognizes* that no solution to displacement can be durable unless it is sustainable, and therefore encourages the Office of the High Commissioner to support the sustainability of return and reintegration;

11. *Also recognizes* the importance of early registration and effective registration systems and censuses as a tool of protection and as a means to the quantification and assessment of needs for the provision and distribution of humanitarian assistance and to implement appropriate durable solutions;

12. *Recalls* the conclusion on registration of refugees and asylum-seekers adopted by the Executive Committee at its fifty-second session,[10] notes the many forms of harassment faced by refugees and asylum-seekers who remain without any form of documentation attesting to their status, recalls the responsibility of States to register refugees on their territories, and, as appropriate, the responsibility of the Office of the High Commissioner or mandated international bodies to do so, reiterates in this context the central role that early and effective registration and documentation can play, guided by protection considerations, in enhancing protection and supporting efforts to find durable solutions, and calls upon the Office, as appropriate, to help States to conduct this procedure should they be unable to register refugees on their territory;

13. *Calls upon* the international community, including States and the Office of the High Commissioner and other relevant United Nations organizations, within their respective mandates, to take concrete action to meet the protection and assistance needs of refugees, returnees and displaced persons and to contribute generously to projects and programmes aimed at alleviating their plight and facilitating durable solutions for refugees and displaced persons;

14. *Reaffirms* the importance of timely and adequate assistance and protection for refugees, returnees and displaced persons, also reaffirms that assistance and protection are mutually reinforcing and that inadequate material assistance and food shortages undermine protection, notes the importance of a rights- and community-based approach in engaging constructively with individual refugees, returnees and displaced persons and their communities so as to achieve fair and equitable access to food and other forms of material assistance, and expresses concern in regard to situations in which minimum standards of assistance are not met, including those in which adequate needs assessments have yet to be undertaken;

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[10] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 12A* (A/56/12/Add.1), chap. III, sect. B.

15. *Also reaffirms* that respect by States for their protection responsibilities towards refugees is strengthened by international solidarity involving all members of the international community and that the refugee protection regime is enhanced through committed international cooperation in a spirit of solidarity and burden- and responsibility-sharing among all States;

16. *Further reaffirms* that host States have the primary responsibility to ensure the civilian and humanitarian character of asylum, calls upon States, in cooperation with international organizations, within their mandates, to take all necessary measures to ensure respect for the principles of refugee protection and, in particular, to ensure that the civilian and humanitarian nature of refugee camps is not compromised by the presence or the activities of armed elements or used for purposes that are incompatible with their civilian character, and encourages the High Commissioner to continue efforts, in consultation with States and other relevant actors, to ensure the civilian and humanitarian character of camps;

17. *Condemns* all acts that pose a threat to the personal security and well-being of refugees and asylum-seekers, such as refoulement, unlawful expulsion and physical attacks, calls upon States of refuge, in cooperation with international organizations, where appropriate, to take all necessary measures to ensure respect for the principles of refugee protection, including the humane treatment of asylum-seekers, notes with interest that the High Commissioner has continued to take steps to encourage the development of measures to better ensure the civilian and humanitarian character of asylum, and encourages the High Commissioner to continue those efforts, in consultation with States and other relevant actors;

18. *Deplores* the continuing violence and insecurity which constitute an ongoing threat to the safety and security of staff members of the Office of the High Commissioner and other humanitarian organizations and an obstacle to the effective fulfilment of the mandate of the Office and the ability of its implementing partners and other humanitarian personnel to discharge their respective humanitarian functions, urges States, parties to conflict and all other relevant actors to take all necessary measures to protect activities related to humanitarian assistance, prevent attacks on and kidnapping of national and international humanitarian workers and ensure the safety and security of the personnel and property of the Office and that of all humanitarian organizations discharging functions mandated by the Office, and calls upon States to investigate fully any crime committed against humanitarian personnel and bring to justice the persons responsible for such crimes;

19. *Calls upon* the Office of the High Commissioner, the African Union, subregional organizations and all African States, in conjunction with agencies of the United Nations system, intergovernmental and non-governmental organizations and the international community, to strengthen and revitalize existing partnerships and forge new ones in support of the protection system for refugees, asylum-seekers and internally displaced persons;

20. *Calls upon* the Office of the High Commissioner, the international community and other concerned entities to intensify their support to African Governments through appropriate capacity-building activities, including training of relevant officers, disseminating information about refugee instruments and principles, providing financial, technical and advisory services to accelerate the enactment or amendment and implementation of legislation relating to refugees, strengthening emergency response and enhancing capacities for the coordination of

humanitarian activities, in particular those Governments that have received large numbers of refugees and asylum-seekers;

21. *Reaffirms* the right of return and the principle of voluntary repatriation, appeals to countries of origin and countries of asylum to create conditions that are conducive to voluntary repatriation, and recognizes that, while voluntary repatriation remains the pre-eminent solution, local integration and third-country resettlement, where appropriate and feasible, are also viable options for dealing with the situation of African refugees who, owing to prevailing circumstances in their respective countries of origin, are unable to return home;

22. *Also reaffirms* that voluntary repatriation should not necessarily be conditioned on the accomplishment of political solutions in the country of origin in order not to impede the exercise of the refugees' right to return, recognizes that the voluntary repatriation and reintegration process is normally guided by the conditions in the country of origin, in particular that voluntary repatriation can be accomplished in conditions of safety and dignity, and urges the High Commissioner to promote sustainable return through the development of durable and lasting solutions, particularly in protracted refugee situations;

23. *Calls upon* the international donor community to provide financial and material assistance that allows for the implementation of community-based development programmes that benefit both refugees and host communities, as appropriate, in agreement with host countries and consistent with humanitarian objectives;

24. *Appeals* to the international community to respond positively, in the spirit of solidarity and burden- and responsibility-sharing, to the third-country resettlement needs of African refugees, notes in this regard the importance of using resettlement strategically, as part of situation-specific comprehensive responses to refugee situations, and to this end encourages States, the Office of the High Commissioner and other relevant partners to make full use of the Multilateral Framework of Understandings on Resettlement,[11] where appropriate;

25. *Calls upon* the international donor community to provide material and financial assistance for the implementation of programmes intended for the rehabilitation of the environment and infrastructure affected by refugees in countries of asylum;

26. *Urges* the international community, in the spirit of international solidarity and burden-sharing, to continue to fund generously the refugee programmes of the Office of the High Commissioner and, taking into account the substantially increased needs of programmes in Africa, inter alia, as a result of repatriation possibilities, to ensure that Africa receives a fair and equitable share of the resources designated for refugees;

27. *Encourages* the Office of the High Commissioner and interested States to identify protracted refugee situations which might lend themselves to resolution through the development of specific, multilateral, comprehensive and practical approaches to resolving such refugee situations, including improvement of international burden- and responsibility-sharing and realization of durable solutions, within a multilateral context;

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[11] Available from www.unhcr.org.

28. *Expresses grave concern* about the plight of internally displaced persons in Africa, notes the efforts of African States in strengthening the regional mechanisms for protection of and assistance to internally displaced persons, calls upon States to take concrete action to pre-empt internal displacement and to meet the protection and assistance needs of internally displaced persons, recalls in that regard the Guiding Principles on Internal Displacement,[12] takes note of the current activities of the Office of the High Commissioner related to protection of and assistance to internally displaced persons, including in the context of inter-agency arrangements in this field, emphasizes that such activities should be consistent with relevant General Assembly resolutions and should not undermine the refugee mandate of the Office and the institution of asylum, and encourages the High Commissioner to continue his dialogue with States on the role of his Office in this regard;

29. *Invites* the Representative of the Secretary-General on the human rights of internally displaced persons to continue his ongoing dialogue with Member States and the intergovernmental and non-governmental organizations concerned, in accordance with his mandate, and to include information thereon in his reports to the Human Rights Council and the General Assembly;

30. *Requests* the Secretary-General to submit a comprehensive report on assistance to refugees, returnees and displaced persons in Africa to the General Assembly at its sixty-fourth session, taking fully into account the efforts expended by countries of asylum, under the item entitled "Report of the United Nations High Commissioner for Refugees, questions relating to refugees, returnees and displaced persons and humanitarian questions".

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[12] E/CN.4/1998/53/Add.2, annex.

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Third Committee

Agenda item 64 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Uganda:* amendment to draft resolution A/C.3/63/L.35

Extrajudicial, summary or arbitrary executions

1. In operative paragraph 5:

(a) Delete the words "in which the death penalty has not been abolished";

(b) After the words "international human rights instruments" insert the words "to which they are party";

(c) After the words "Convention on the Rights of the Child", delete the word "bearing" and insert the words "and calls upon those States that retain the death penalty in their constitutions and penal codes to bear";

(d) Replace the word "taking" with the words "to take".

2. The amended paragraph would read as follows:

"5. *Calls upon* all States to prevent extrajudicial, summary and arbitrary executions, by complying with their obligations under relevant provisions of international human rights instruments to which they are party, including in particular articles 6, 7 and 14 of the International Covenant on Civil and Political Rights and articles 37 and 40 of the Convention on the Rights of the Child, and calls upon those States that retain the death penalty in their constitutions and penal codes to bear in mind the safeguards and guarantees set out in Economic and Social Council resolutions 1984/50 of 25 May 1984 and 1989/64 of 24 May 1989, and to take into account the recommendations of the Special Rapporteur regarding the need to respect essential procedural guarantees, including the right to seek pardon or commutation of sentence;"

* On behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference.

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Uganda:* amendment to draft resolution A/C.3/63/L.35

Extrajudicial, summary or arbitrary executions

1. In operative paragraph 6 (b),

(a) Before the word "refugees" add the words "peoples under foreign occupation";

(b) Replace the words "including sexual orientation" with the word "whatsoever".

2. The amended paragraph would read as follows:

"To ensure the effective protection of the right to life of all persons under their jurisdiction and to investigate promptly and thoroughly all killings, including those targeted at specific groups of persons, such as racially motivated violence leading to the death of the victim, killings of persons belonging to national or ethnic, religious and linguistic minorities, of peoples under foreign occupation, refugees, internally displaced persons, migrants, street children or members of indigenous communities, killings of persons for reasons related to their activities as human rights defenders, lawyers, journalists or demonstrators, killings committed in the name of passion or in the name of honour, all killings committed for any discriminatory reason whatsoever, as well as all other cases where a person's right to life has been violated, and to bring those responsible to justice before a competent, independent and impartial judiciary at the national or, where appropriate, international level, and to ensure that such killings, including those committed by security forces, police and law enforcement agents, paramilitary groups or private forces, are neither condoned nor sanctioned by State officials or personnel;"

* On behalf of the States Members of the United Nations that are members of the Organization of the Islamic Conference.

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Agenda items 118 and 64 (b)

Programme budget for the biennium 2008-2009

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Rights of the child

Programme budget implications of draft resolution A/C.3/63/L.46

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of operative paragraphs 1 and 4 of draft resolution A/C.3/63/L.46, the General Assembly would:

(a) Take note of the report of the Committee on the Rights of the Child and the decision taken by the Committee at its forty-eighth session to request approval from the General Assembly to meet in parallel chambers so as to facilitate the effective and timely implementation of its responsibilities under article 44 of the Convention on the Rights of the Child and articles 8 and 12 of its Optional Protocols;

(b) Decide, as an exceptional and temporary measure, to authorize the Committee to meet in parallel chambers, of nine members each, for 10 working days during each of its three regular sessions and for 5 working days during the weeks of its pre-sessional meetings between October 2009 and January 2011.

II. Relationship of the requests to the programme of work for the biennium 2008-2009

2. The requests relate to programme 1, General Assembly and Economic and Social Council affairs and conference management, subprogramme 2, Supporting

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human rights bodies and organs, of programme 19, Human rights; and subprogramme 4, Support services, of programme 24, Management and support services, of the biennial programme plan for the period 2008-2009. They also fall under section 2, General Assembly and Economic and Social Council affairs and conference management; section 23, Human rights; and section 28E, Administration, Geneva, of the programme budget for the biennium 2008-2009.

III. Activities by which the requests would be implemented and additional requirements for the biennium 2008-2009

3. Should draft resolution A/C.3/63/L.46 be adopted by the General Assembly, additional meeting requirements would arise pursuant to operative paragraph 4 to provide for 10 additional pre-sessional working group meetings in 2009; 80 additional sessional meetings consisting of 60 meetings in 2010 in parallel chambers with the three regular sessions of the Committee planned in 2010, and 20 meetings in parallel chambers with the one regular session planned in January 2011; and 30 additional pre-sessional working group meetings in parallel chambers with the three pre-sessional meetings planned in 2010.

4. The additional meetings of the Committee would require interpretation services in three (or exceptionally four) languages. Summary records would be provided for the 80 additional sessional meetings of the Committee; no summary records would be required for the 40 pre-sessional meetings. An additional 2,520 pages of pre-sessional and 1,248 pages of post-sessional documentation in three (or exceptionally four) languages would also be required for the additional meetings.

5. Additional requirements are not expected to arise for the travel and per diem costs of members of the Committee in relation to the additional meetings.

6. Additional requirements would arise in relation to conference-servicing requirements and additional staffing requirements to provide for general temporary assistance, estimated as follows: two staff at the P-3 level for 6 work-months each in 2009 (from July 2009), for 12 work-months each in 2010 and 2 work-months each in 2011; and one General Service level assistant for 6 work-months in 2009, 12 work-months in 2010 and 2 work-months in 2011.

7. The adoption of draft resolution A/C.3/63/L.46 would also result in an addition to the revised calendar of conferences and meetings for 2009 for the meetings of the Committee on the Rights of the Child and its working group to be held in parallel chambers.

8. The requirements for the additional meetings of the Committee and its working group referred to in paragraphs 3 to 6 above are summarized in the following table:

(United States dollars)

Budget section	*2009*	*2010*	*2011*
2. General Assembly and Economic and Social Council affairs and conference management: meeting servicing, interpretation and documentation	513 100	3 162 000	540 900
23. Human rights: staff costs (net)	208 300	416 600	43 500
28E. Administration, Geneva: support services	3 800	34 200	7 600
35. Staff assessment	33 800	67 600	11 200
Income section 1. Income from staff assessment	(33 800)	(67 600)	(11 200)
Total	**725 200**	**3 612 800**	**592 000**

IV. Modification of the programme of work for 2008-2009 and the biennial programme plan for 2010-2011

9. Should the draft resolution be adopted, modifications would be required in the programme of work under subprogramme 2, Supporting human rights bodies and organs, of section 23, Human rights, of the programme budget for the biennium 2008-2009, to amend the outputs already approved in respect of the substantive servicing of the pre-sessional working group of the Committee on the Rights of the Child. The modifications required would be as follows: in paragraph 23.66 (a) (xiii), the words "pre-sessional working group meetings (60)" would be replaced by the words "pre-sessional working group meetings (70)".

10. The relevant outputs pertaining to the sessions and pre-sessional meetings of the Committee on the Rights of the Child would be reflected in the proposed programme budget for the biennium 2010-2011.

V. Potential for absorption and contingency fund

11. No provisions have been made under sections 2, 23 and 28E of the programme budget for the biennium 2008-2009 for the provision of substantive support to and servicing of additional pre-sessional meetings of the working group of the Committee on the Rights of the Child proposed in 2009.

12. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

13. The Secretariat has sought to identify areas from which resources could be redeployed to meet the additional requirements relating to substantive support to the Committee and the conference-servicing and other support services requirements

referred to in paragraph 8 above. It is considered that additional requirements could be absorbed within the provisions under section 23, Human rights ($208,300), and section 28E, Administration, Geneva ($3,800), of the programme budget for the biennium 2008-2009. Concerning the estimated additional conference-servicing requirements of $513,100, while every effort will be made to accommodate those requirements from within the existing capacity of the Secretariat under section 2, General Assembly and Economic and Social Council affairs and conference management, the extent of such accommodation could be determined only in the light of the consolidated statement on the contingency fund reflecting the demand for the additional services stemming from all statements of programme budget implications and revised estimates for the biennium 2008-2009. The Secretary-General would submit the consolidated statement to the General Assembly towards the end of the main part of its sixty-third session together with his proposals on the extent of utilization of the contingency fund for those additional requirements.

14. With regard to the requirements for the provision of substantive support to the Committee, as well as costs for conference servicing and support services related to the meetings of the Committee and its working group in the biennium 2010-2011 ($4,204,800), they will be considered within the framework of the proposed programme budget for the biennium 2010-2011, as well as the programme of conferences and meetings of the United Nations for that biennium.

VI. Conclusion

15. **Should the General Assembly adopt draft resolution A/C.3/63/L.46, there would be additional requirements for the biennium 2008-2009 under section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget for the biennium 2008-2009 in the amount of $513,100. The extent to which an additional appropriation for the biennium 2008-2009 would be required will be determined in the context of the consolidated statement of all statements of programme budget implications and revised estimates for the biennium 2008-2009 to be submitted to the General Assembly towards the end of the main part of its sixty-third session together with proposals on the utilization of the contingency fund for those additional requirements.**

16. **In addition, the General Assembly would be required to approve the proposed modifications to the outputs to be incorporated into the programme of work of section 23, Human rights, of the programme budget for the biennium 2008-2009 under subprogramme 2, Supporting human rights bodies and organs.**

17. **The requirements of $4,204,800 for 2010-2011 will be dealt with in the context of the proposed programme budget for the biennium 2010-2011.**

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Agenda items 118 and 64 (b)

Programme budget for the biennium 2008-2009

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Committee on the Rights of the Child

Programme budget implications of draft resolution A/C.3/63/L.46

Statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly

I. Requests contained in the draft resolution

1. Under the terms of operative paragraphs 1 and 4 of draft resolution A/C.3/63/L.46, the General Assembly would:

(a) Take note of the report of the Committee on the Rights of the Child and the decision taken by the Committee at its forty-eighth session to request approval from the General Assembly to meet in parallel chambers so as to facilitate the effective and timely implementation of its responsibilities under article 44 of the Convention on the Rights of the Child and articles 8 and 12 of its Optional Protocols;

(b) Decide, as an exceptional and temporary measure, to authorize the Committee to meet in parallel chambers, of nine members each, for 10 working days during each of its three regular sessions and for 5 working days during the weeks of its pre-sessional meetings between October 2009 and January 2011.

II. Relationship of the requests to the programme of work for the biennium 2008-2009

2. The requests relate to programme 1, General Assembly and Economic and Social Council affairs and conference management; subprogramme 2, Supporting

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human rights bodies and organs, of programme 19, Human rights; and subprogramme 4, Support services, of programme 24, Management and support services, of the biennial programme plan for the period 2008-2009. They also fall under section 2, General Assembly and Economic and Social Council affairs and conference management; section 23, Human rights; and section 28E, Administration, Geneva, of the programme budget for the biennium 2008-2009.

III. Activities by which the requests would be implemented and additional requirements for the biennium 2008-2009

3. Should draft resolution A/C.3/63/L.46 be adopted by the General Assembly, additional meeting requirements would arise pursuant to operative paragraph 4 to provide for 10 additional pre-sessional working group meetings in 2009; 80 additional sessional meetings consisting of 60 meetings in 2010 in parallel chambers with the three regular sessions of the Committee planned in 2010, and 20 meetings in parallel chambers with the one regular session planned in January 2011; and 30 additional pre-sessional working group meetings in parallel chambers with the three pre-sessional meetings planned in 2010.

4. The additional meetings of the Committee would require interpretation services in three (or exceptionally four) languages. Summary records would be provided for the 80 additional sessional meetings of the Committee; no summary records would be required for the 40 pre-sessional meetings. An additional 2,520 pages of pre-sessional and 1,248 pages of post-sessional documentation in three (or exceptionally four) languages would also be required for the additional meetings.

5. Additional requirements are not expected to arise for the travel and per diem costs of members of the Committee in relation to the additional meetings.

6. Additional requirements would arise in relation to conference-servicing requirements and additional staffing requirements to provide for general temporary assistance, estimated as follows: two staff at the P-3 level for 6 work-months each in 2009 (from July 2009); for 12 work-months each in 2010 and 2 work-months each in 2011; and one General Service level assistant for 6 work-months in 2009, 12 work-months in 2010 and 2 work-months in 2011.

7. The adoption of draft resolution A/C.3/63/L.46 would also result in an addition to the revised calendar of conferences and meetings for 2009 for the meetings of the Committee on the Rights of the Child and its working group to be held in parallel chambers.

8. The requirements for the additional meetings of the Committee and its working group referred to in paragraphs 3 to 6 above are summarized in the following table:

(United States dollars)

Budget section	2008	2009	2010
2. General Assembly and Economic and Social Council affairs and conference management: meeting servicing, interpretation and documentation	513 100	3 162 000	540 900
23. Human rights: staff costs (net)	208 300	416 600	43 500
28E. Administration, Geneva: support services	3 800	34 200	7 600
35. Staff assessment	33 800	67 600	11 200
Income section 1. Income from staff assessment	(33 800)	(67 600)	(11 200)
Total	**725 200**	**3 612 800**	**592 000**

IV. Modification of the programme of work for 2008-2009 and the biennial programme plan for 2010-2011

9. Should the draft resolution be adopted, modifications would be required in the programme of work under subprogramme 2, Supporting human rights bodies and organs, of section 23, Human rights, of the programme budget for the biennium 2008-2009, to amend the outputs already approved in respect of the substantive servicing of the pre-sessional working group of the Committee on the Rights of the Child. The modifications required would be as follows: in paragraph 23.66 (a) (xiii), the words "pre-sessional working group meetings (60)" would be replaced by the words "pre-sessional working group meetings (70)".

10. The relevant outputs pertaining to the sessions and pre-sessional meetings of the Committee on the Rights of the Child would be reflected in the proposed programme budget for the biennium 2010-2011.

V. Potential for absorption and contingency fund

11. No provisions have been made under sections 2, 23 and 28E of the programme budget for the biennium 2008-2009 for the provision of substantive support to and servicing of additional pre-sessional meetings of the working group of the Committee on the Rights of the Child proposed in 2009.

12. It will be recalled that, under the procedures established by the General Assembly in its resolutions 41/213 and 42/211, a contingency fund is established for each biennium to accommodate additional expenditures derived from legislative mandates not provided for in the programme budget. Under this procedure, if additional expenditures are proposed that exceed the resources available from the contingency fund, the activities concerned would be implemented only through the redeployment of resources from low-priority areas or the modification of existing activities. Otherwise, such additional activities would have to be deferred to a later biennium.

13. The Secretariat has sought to identify areas from which resources could be redeployed to meet the additional requirements relating to substantive support to the Committee and the conference-servicing and other support services requirements

referred to in paragraph 8 above. It is considered that additional requirements could be absorbed within the provisions under section 23, Human rights ($208,300), and section 28E, Administration, Geneva ($3,800), of the programme budget for the biennium 2008-2009. Concerning the estimated additional conference-servicing requirements of $513,100, while every effort will be made to accommodate those requirements from within the existing capacity of the Secretariat under section 2, General Assembly and Economic and Social Council affairs and conference management, the extent of such accommodation could be determined only in the light of the consolidated statement on the contingency fund reflecting the demand for the additional services stemming from all statements of programme budget implications and revised estimates for the biennium 2008-2009. The Secretary-General would submit the consolidated statement to the General Assembly towards the end of the main part of its sixty-third session together with his proposals on the extent of utilization of the contingency fund for those additional requirements.

14. With regard to the requirements for the provision of substantive support to the Committee, as well as costs for conference servicing and support services related to the meetings of the Committee and its working group in the biennium 2010-2011 ($4,204,800), they will be considered within the framework of the proposed programme budget for the biennium 2010-2011, as well as the programme of conferences and meetings of the United Nations for that biennium.

VI. Conclusion

15. **Should the General Assembly adopt draft resolution A/C.3/63/L.46, there would be additional requirements for the biennium 2008-2009 under section 2, General Assembly and Economic and Social Council affairs and conference management, of the programme budget for the biennium 2008-2009 in the amount of $513,100. The extent to which an additional appropriation for the biennium 2008-2009 would be required will be determined in the context of the consolidated statement of all statements of programme budget implications and revised estimates for the biennium 2008-2009 to be submitted to the General Assembly towards the end of the main part of its sixty-third session together with proposals on the utilization of the contingency fund for those additional requirements.**

16. **In addition, the General Assembly would be required to approve the proposed modifications to the outputs to be incorporated into the programme of work of section 23, Human rights, of the programme budget for the biennium 2008-2009 under subprogramme 2, Supporting human rights bodies and organs.**

17. **The requirements of $4,204,800 for 2010-2011 will be dealt with in the context of the proposed programme budget for the biennium 2010-2011.**

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Sixty-third session

Third Committee

Agenda item 64 (b)

Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Botswana, Brunei Darussalam, China, Comoros, Democratic People's Republic of Korea, Dominica, Egypt, Eritrea, Grenada, Guyana, Indonesia, Iran (Islamic Republic of), Iraq, Kuwait, Libyan Arab Jamahiriya, Malaysia, Maldives, Myanmar, Nigeria, Oman, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Sudan, Swaziland, Syrian Arab Republic, Trinidad and Tobago, Uganda, United Arab Emirates, Viet Nam, Yemen and Zimbabwe: amendment to draft resolution A/C.3/63/L.19/Rev.1

Moratorium on the use of the death penalty

Insert a new preambular paragraph before the first preambular paragraph, reading

> *Guided* by the purposes and principles contained in the Charter of the United Nations, and recalling in particular, Article 2, paragraph 7, which clearly stipulates that nothing in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State

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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Antigua and Barbuda, Bahamas, Bahrain, Bangladesh, Barbados, Botswana, China, Democratic People's Republic of Korea, Dominica, Egypt, Eritrea, Grenada, Guyana, Indonesia, Iran (Islamic Republic of), Kuwait, Libyan Arab Jamahiriya, Malaysia, Nigeria, Oman, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Singapore, Sudan, Swaziland, Syrian Arab Republic, Trinidad and Tobago, Uganda, United Arab Emirates and Yemen: amendment to draft resolution A/C.3/63/L.19/Rev.1

Moratorium on the use of the death penalty

In the first preambular paragraph, replace the word "*Reaffirming*" with the word "*Recalling*"

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